


METHFESSEL & WERBEL

A Professional Corporation

JOEL N. WERBEL>
JOHN METHFESSEL, JR.>
FREDRIC PAUL GALLIN*+^
STEPHEN R. KATZMAN#
WILLIAM S. BLOOM*>
ERIC L. HARRISON*+
MATTHEW A. WERBEL>
MARC DEMBLING*+
LORI BROWN STERNBACK*+
I. BLAKELEY JOHNSTONE, III*+
GINA M. STANZIALE>

Of Counsel
JOHN METHFESSEL, SR.>
(1964-1995)
DONALD L. CROWLEY*+
ED THORNTON*>

Counsel
CHRISTIAN R. BAILLIE+
JOSEPH D. CASTELLUCCI, JR.>
PAUL J. ENDLER JR.>
JAMES FOXEN^
GERALD KAPLAN>
JARED P. KINGSLEY*+
JOHN R. KNODEL*+
LESLIE A. KOCH+
CHARLES T. MCCOOK, JR.*>
MARC G. MUCCIOLLO>
RICHARD A. NELKE-
STEVEN K. PARNES+
BRENT R. POHLMAN+
AMANDA J. SAWYER^

Associates
SARAH K. DELAHANT+
EDWARD D. DEMBLING>
JASON D. DOMINGUEZ+
MICHAEL R. EATROFF>
JENNIFER M. HERRMANN^=
FRANK J. KEENAN+^

Associates, Cont'd
ALLISON M. KOENKE>
ALICIA C. LANGONE+
VIVIAN LEKKAS+
OLIVIA R. LICATA>
ASHLEY E. MALANDRE^
JAMES V. MAZEWSKI+
DIAA J. MUSLEH+
RAINA M. PITTS^
MATTHEW L. RACHMIEL>
WILLIAM J. RADA+
NABILA SAEED^
JARED S. SCHURE>
BORIS SHAPIRO>
STEVEN A. UNTERBURGER+
LEVI E. UPDYKE+^

* Certified by the Supreme Court of
New Jersey as a Civil Trial Attorney
+Member of NY & NJ Bar
^Member of PA & NJ Bar
>Member of NJ Bar only
#Member of PA Bar only
#Member of NJ & LA. Bar
<Member of NJ & DC Bar
≥Member of NJ, PA & DC Bar
~Member of NY, NJ & DC Bar
=Member of FL Bar

Please reply to New Jersey

May 9, 2018

VIA E-FILING AND LAWYERS SERVICE

The Honorable Esther Salas, U.S.D.J.
United States District Court - Newark
Martin Luther King Jr. Federal Building & U.S. Courthouse
50 Walnut Street, Courtroom MLK 4C
Newark, NJ 07101

RE: **CIOFFI, MICHAEL VS. BOROUGH OF ENGLEWOOD CLIFFS, ET AL.**

Our File No. : 85341 ELH
Docket No. : 2:16-CV-04536-ES-MAH

Dear Judge Salas:

We represent Defendant Carrol McMorro in this matter. Presently pending before Your Honor are several motions to dismiss the Complaint. On April 23, 2018, the Honorable Lisa Perez Friscia, J.S.C., rendered a decision in a separate New Jersey Superior Court matter captioned Cioffi v. Borough of Englewood Cliffs, BER-L-3468-17. In an action in lieu of prerogative writ against the Mayor and Council of the Borough of Englewood Cliffs, Plaintiff Michael Cioffi challenged the Mayor and Council's vote to place him on an administrative leave with pay for 30 days pending an investigation. Judge Perez-Friscia granted Defendants' Motion for Summary Judgment. The Court found that it was within the Mayor and Council's statutory authority to suspend Chief Cioffi with pay pending an investigation.

While this decision is not dispositive of the issues before this Court, we bring it to the Court's attention – without further comment - because it is relevant to Plaintiff's claims of First Amendment retaliation.

Respectfully submitted,
METHFESSEL & WERBEL, ESQS.

Eric L. Harrison
harrison@methwerb.com
Ext. 138

ELH:as/hn

Enclosure: Order and Opinion of April 23, 2018

Methfessel & Werbel, Esqs.

Our File No. 85341 ELH

Page 2

cc: **VIA E-FILING TO ALL**

Richard Malagierie, Esq.

Law Offices of Richard Malagierie

14 Bergen Street

Hackensack, NJ 07601

Robert L. Galantucci, Esq.

Galantucci, Patuto, Devencentos, Potter & Doyle, LLC

55 State Street

Hackensack, NJ 07601

Domenick Carmagnola, Esq.

Carmagnola & Ritardi, LLC

60 Washington Street

Morristown, NJ 07060

Joseph Tripodi, Esq.

Kranjac, Tripodi, & Partners LLP

473 Sylvan Avenue

Englewood Cliffs, NJ 07632